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NOTICE OF ALLOWANCE AND FEE(S) DUE

22850 7590 08012011 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA. VA 22314 EXAMINER

SAXENA, AKASH

ART UNIT PAPER NUMBER

2128

DATE MAILED: 08/01/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,583	09/30/2003	Andrej S. Mitrovic	230420US6YA	1606

TITLE OF INVENTION: SYSTEM AND METHOD FOR USING FIRST-PRINCIPLES SIMULATION TO PROVIDE VIRTUAL SENSORS THAT FACILITATE A SEMICONDUCTOR MANUFACTURING PROCESS

APPLN, TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	11/01/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

IL PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address; and indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or bibliotic patentials of the property of the proper

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

maintenance fee notification

PTOL-85 (Rev. 02/11) Approved for use through 08/31/2013.

22850

or Fax (571)-273-2885

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228:9 7590 9001/2011

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. Certificate of Mailing or Transmission
1940 DUKE STREET

ALEXANDRIA, VA 22314

States Footal Service with sufficient position from the United States Footal Service with sufficient position from the United States Footal Service with sufficient position and in an envelope for states from the USFTO (571) 273-2885, on the date indicated below. (Depositor's nam (Signate (Dat APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO CONFIRMATION NO 10/673 583 09/30/2003 Andrei S. Mitrovic 230420US6VA TITLE OF INVENTION: SYSTEM AND METHOD FOR USING FIRST-PRINCIPLES SIMULATION TO PROVIDE VIRTUAL SENSORS THAT FACILITATE A SEMICONDUCTOR MANUFACTURING PROCESS APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1510 \$300 SO \$1810 11/01/2011 EXAMINER ART UNIT CLASS-SUBCLASS SAXENA, AKASH 2128 703-013000 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list the names of up to 3 registered patent attorneys or agents OR, alternatively. ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. (2) the name of a single firm (having as a member a "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is Number is required. listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) Please check the appropriate assignee category or categories (will not be printed on the patent): 🔲 Individual 🚨 Corporation or other private group entity 🚨 Government 4a. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) ☐ Issue Fee A check is enclosed. ☐ Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this for Advance Order - # of Copies (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) □ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for rectucing this burden, should be sent to the Chief Information Officer. U.S. Patest and Trademark Officer. U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 2231-450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 2231-450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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Alexandria, Virginia 22313-1450 www.uspio.gov

 APPLICATION NO.
 FILING DATE
 FIRST NAMED INVENTOR
 ATTORNEY DOCKET NO.
 CONFERMATION NO.

 10673.583
 09/30/2003
 Andrej S. Mitrovic
 230420USGYA
 1606

 200670
 7500
 0800 DOUL
 EXAMINER

22850 7590 0801/2011 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA. VA 22314

SAXENA, AKASH

ART UNIT PAPER NUMBER

2128

DATE MAILED: 08/01/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1249 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1249 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom
 of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of
 records may be disclosed to the Department of Justice to determine whether disclosure of these
 records is required by the Freedom of Information Act.
- A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2004 and 2006. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No.	Applicant(s)					
	10/673,583	MITROVIC, ANDREJ S.					
Notice of Allowability	Examiner	Art Unit					
	AKASH SAXENA	2128					
The MALING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS sherewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATEN of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication IGHTS. This application is subject to	olication. If not included will be mailed in due course. THIS					
☐ This communication is responsive to <u>07/11/2011</u> .							
. ☑ The allowed claim(s) is/are <u>1-7.10-13.15-34.37-54 and 62</u> .							
	been received.						
3. Copies of the certified copies of the priority documents have been received in this national stage application from the							
International Bureau (PCT Rule 17.2(a)).							
* Certified copies not received:							
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with the requirements					
 A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 							
CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.						
(a) 🔲 including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached							
 hereto or 2) to Paper No./Mail Date 							
 (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 							
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t	.84(c)) should be written on the drawir he header according to 37 CFR 1.121(c	ngs in the front (not the back) of					
DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT							
Attachment(s)							
1. Notice of References Cited (PTO-892)	5. Notice of Informal P	• • • • • • • • • • • • • • • • • • • •					
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	 Interview Summary Paper No./Mail Dat 						
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>07/11/2011</u> 	7. Examiner's Amenda						
 Examiner's Comment Regarding Requirement for Deposit of Biological Material 	8. X Examiner's Stateme	nt of Reasons for Allowance					
	9. Other						

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DETAILED ACTION

 Claim(s) 1-7, 10-13, 15-34, 37-54 and 62 are presented for examination based on the amendment filed 07/05/2011.

- 2. Claim(s) 8-9, 14, 35-36, 55-61 and 63-65 are cancelled.
- 3. Claim(s) 1, 28 and 62 are amended.
- 4. In view of the papers filed 07/11/2011, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by adding inventor Eric J Strang.
 - The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of Office records to reflect the inventorship as corrected.
- Rejection(s) under 35 USC 112 for claim(s) 1-7, 10-13, 15-34, 37-54 and 62 are withdrawn in view of their amendment.
- Rejection(s) under 35 USC 102/103 for claim(s1-7, 10-13, 15-34, 37-54 and 62 are withdrawn in view of their amendment.
- Double Patenting rejection with applications 10/673507, 10/673138, 10/673501 and 10/673,467 is withdrawn in view of the Terminal Disclaimer filed 9/2/2008.
- 8. Claim(s) 1-7, 10-13, 15-34, 37-54 and 62 are allowed.

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Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: claim(s) 1-7. 10-13, 15-34, 37-54 and 62 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims, specifically "1) a spatially resolved model of a physical geometry of the semiconductor processina tool 2) arid set addressina the semiconductor processina tool or a geometry of the semiconductor processing tool (as defined in specification: [0076])... using code parallelization techniques on multiple simulation modules in the device manufacturing fab, and re-using known simulation solutions as initial conditions for the first principles simulation (as defined in specification: [0049][0050]) wherein re-using known simulation solutions comprises searching in the fab-level library for a closest fitting solution which if used for the initial condition would reduce the number of iterations required by the simulation module" (as defined in specification: [0076]), as disclosed in independent claims 1, 28 and 62 of the instant application.

Prior Art of Record

10. The Prior art of reference Jain (NPL) discloses teaches distributed simulation spanned over multiple simulation modules however does not teach grid set addressing of semiconductor tool or its geometry and fails to reuse the known simulation results to solve the computer-encoded differential equations of the first principles simulation physical model for the spatially resolved model concurrently

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with the actual process being performed and in a time frame shorter in time than the actual process being performed.

- 11. The Prior art of reference Tan (US Patent No. US 6263255 B1) discloses process model and feed-forward and feed-back correction, however is also silent on grid set addressing of semiconductor tool or its geometry and fails to reuse the known simulation results.
- 12. The Prior art of Reference Sonderman (US Patent 6802045 B1) describes producing process parameters in a simulation environment for use in a manufacturing environment in semiconductor wafer processing (Sonderman: col. 4, 1.47 col. 5, 1. 10), which does not teach the claimed invention which requires solve the computer-encoded differential equations of the first principles simulation physical model for the spatially resolved model concurrently with the actual process being performed and in a time frame shorter in time than the actual process being performed.

Prior Art based on Updated Search

13. The Prior art Su et al (Cited PTO 892) teaches virtual fab (VF) as simulation tools to run in parallel With or before the actual fab for fast process, product, and operational developments, however it also does not teach grid set addressing of semiconductor tool or its geometry and fails to reuse the known simulation results to solve the computer-encoded differential equations of the first principles simulation physical model for the spatially resolved model concurrently with the actual process being performed and in a time frame shorter in time than the actual process being performed.

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14. The Prior art Allen (US Patent No. US 6763277 B1) a simulation environment capable of simulating at least one process operation performed on a semiconductor wafer and generating simulation data; a process scheduling model in communication with the simulation environment, the process scheduling model capable of performing a process scheduling function based upon at least one of the simulation data and a metrology data, to control the process operation; and a process control in communication with the process scheduling model, the process control capable of

15. The Prior art Patel (US PGPUB 20050010319) teaches canonical model simulating the actual process, however it is used for validation and verification ([0033][0040]-[0043]).

performing a line balancing function to control a processing of at least one semiconductor wafer based upon the process scheduling function. Allen does not

teach simulation in a shorter time period than actual process.

- 16. The Prior art Enda (US Patent No. US 6304834) teaches using grid based approach for semiconductor simulation and even modifies the solution (re-using it) (Enda: Fig.8B), however fails to teach that the solution is found in shorter time frame than the actual process (Enda: Fig.11).
- 17. The Prior art Riley et al (US PGPUB 20020107604) teaches rapid thermal processing (RTP) model(ing) in conjunction with actual semiconductor processing with feed back (Fig.1), however it appears that it also does not teach performing

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simulation concurrently with the actual process being performed and in a time frame shorter in time than the actual process being performed.

18. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance." Art Unit: 2128

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKASH SAXENA whose telephone number is (571)272-8351. The examiner can normally be reached on 8:00-6:00 PM Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini S. Shah can be reached on (571)272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamini S Shah/ Supervisory Patent Examiner, Art Unit 2128

/Akash Saxena/ Examiner, Art Unit 2128